HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.3510 of 2007

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Between:

M/s.Kalpana Chemicals Ltd.,
IDA, Nacharam, Ranga Reddy District,
represented by its Chairman and Managing
Director. …Petitioner.

And

Andhra Pradesh Pollution Control
Board, Hyderabad, represented by
its Member Secretary and others. ….Respondents.

:: O R D E R ::

Counsel for the petitioner : Sri V.T.M. Prasad

Counsel for respondent Nos.1 to 4 : Sri S.V.Bhatt

27th February, 2007

Per G.S. SINGHVI, C.J.

This petition is directed against order dated 19-2-2007 passed by Andhra Pradesh Pollution Control Board (for short, 'the Board') under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 (for short, 'the Air Act') for closure of the petitioner's industry.

At the hearing, Sri S.V. Bhatt, learned counsel for the Board invited our attention to application dated 15-2-2007 made by the petitioner under Section 21 of the Air Act for grant of consent to operate the unit for a period of two years with effect from 1-4-2006, and stated that the same will be considered and finally disposed of within seven days from today. Sri Bhatt further stated that if consent is granted to the petitioner, then it shall be allowed to operate the unit without any hindrance.

Sri V.T.M. Prasad, learned counsel for the petitioner says that his client will feel satisfied if its application for grant of consent is disposed of within seven days from today.

In view of the statement made by the learned counsel for the parties, we do not consider it necessary to go into the legality of order dated 19-2-2007 and dispose of the writ petition with the following directions:

i) application dated 15-2-2007 made by the petitioner shall be considered and decided by the Board within seven days from today, and

ii) if consent is granted to the petitioner, then it shall be allowed to operate the unit without any restriction.

As a sequel to disposal of the writ petition in the manner indicated above, WPMP.No.4476 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

G.S.SINGHVI, C.J.

27th February, 2007

C.V.NAGARJUNA REDDY, J.

Note: The Court Officer is directed to give an attested copy of this order to Sri S.V. Bhatt, Standing Counsel for the Andhra Pradesh Pollution

Control Board.

(BO)

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